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Docket No.: 0104-0499PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

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In re Patent Application of:
William HOLM et al.

Application No.: 10/521,566

Confirmation No.: 9005

Filed: January 18, 2005

Art Unit: 1792

For: JETTING DEVICE AND METHOD AT A
JETTING DEVICE

Examiner: J. G. HORNING

**NOTIFICATION OF ERRONEOUS PAYMENT OF SMALL ENTITY FEES
UNDER 37 C.F.R. § 1.28 AND LOSS OF ENTITLEMENT OF SMALL ENTITY STATUS
UNDER 37 C.F.R. § 1.27(G)(2)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

It is respectfully noted that the above-identified application no longer qualifies for small entity status under 37 C.F.R. § 1.27(a).

Small entity status was established with the filing of the application on **January 18, 2005**, and the small entity filing fee was properly paid. However, after the application was filed but prior to payment of the issue fee, the status of the assignee changed. The application therefore did not qualify for small entity status at the time the issue fee was paid.

It is therefore respectfully requested that the error be excused. The following items are being submitted to comply with the requirements of 37 C.F.R. 1.28(c):

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- (1) Separate submission for each application or patent.

This request is being submitted in connection with U.S. Application No. 10/521,566. OFFICE OF PETITIONS

- (2) Payment of deficiency owed.

(i) A **\$755.00** small entity issue fee was paid on **June 22, 2010**, charged to deposit account 02-2448. Accordingly, the deficiency owed is **\$755.00**.

(ii) Charge **\$755.00** to deposit account 02-2448, as payment of the deficiency owed.

It is again noted that the failure to notify the U.S. Patent and Trademark Office of the change in the entity status at the time the filing fee was paid was made in error, without the intent to deceive. As it is believed that the requirements of 37 C.F.R. § 1.28(c)(1) and (c)(2) have been met, it is respectfully requested that the error be excused and that the U.S. Patent and Trademark Office forward appropriate notification to the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: **June 30, 2010**

Respectfully submitted,

By 

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